

Notice of Allowability

Application No.

10/534,295

Examiner

Ruth A. Davis

Applicant(s)

CHANG ET AL.

Art Unit

1651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment and response filed 9/17/2007.
2. ☒ The allowed claim(s) is/are 8-9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

/Ruth A. Davis/
Primary Examiner
Art Unit: 1651

Attorney Docket No.: DC-0315
Inventors: Chang and Sugii
Serial No.: 10/534,295
Filing Date: June 9, 2005
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This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-7 (canceled).

1 Claim ~~8~~ (currently amended): A method of inhibiting over accumulation of cholesterol intracellularly in cells comprising administering to the cells a cholesterol inhibitor identified by the a method of claim 2 comprising exposing mutant NPC1 cells to a test agent, permeabilizing the mutant NPC1 cells, evaluating the intracellular level of cholesterol accumulation in the permeabilized mutant NPC1 cells exposed to the test agent via binding of labeled C theta complex to cholesterol-rich domains in intracellular organelles, and comparing the evaluated level to the intracellular level of cholesterol bound to labeled C theta complex in mutant NPC1 cells not exposed to the test agent, wherein a decrease in the level of cholesterol accumulation intracellularly in the mutant NPC1 cells exposed to the test agent as compared to the intracellular level in mutant NPC1 cells not exposed to the test agent is indicative of the test agent being a cholesterol inhibitor.

2 Claim ~~5~~ (currently amended): A method of inhibiting over accumulation of cholesterol intracellularly in cells comprising administering to the cells a cholesterol inhibitor identified by the a method of claim 5 comprising exposing mutant NPC1 cells to a test agent, permeabilizing the mutant NPC1 cells, evaluating

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the intracellular level of cholesterol accumulation in the permeabilized mutant NPC1 cells exposed to the test agent via binding of labeled C theta complex to cholesterol-rich domains in intracellular organelles, and comparing the evaluated level to the intracellular level of cholesterol bound to labeled C theta complex in parental cells not exposed to the test agent, wherein the intracellular level of cholesterol accumulation in the mutant NPC1 cells exposed to the test agent is equal to the intracellular level of cholesterol in the parental cells not exposed to the test agent is indicative of the test agent being a cholesterol inhibitor.

Claims 10-11 (canceled).